

1 cells in the anterior chamber. Post-procedure, AN was seen and continued to complain of
2 pain and loss of vision in her right eye. She received medications and the pressure
3 dropped. Lens fragments and the first new lens were eventually identified in the posterior
4 chamber of the right eye. AN subsequently saw a retina specialist, who found large
5 retained lens fragments as well as the first dislocated IOL (intraocular lens) in the right
6 eye. On June 8, 2007, AN underwent vitrectomy, lensectomy, and removal of the posterior
7 chamber intraocular lens. AN never regained sight in her right eye.

8 5. On February 22, 2011, the Nevada Board filed a formal complaint against
9 Respondent for allegations involving his care and treatment of patient AN. The Nevada
10 Board found that Respondent failed to document intraoperative complications, failed to
11 communicate the fact of the intraoperative complications to AN and omissions relating to
12 the diagnosis, treatment and care of AN. On September 11, 2011, Respondent entered
13 into a Consent Agreement for disciplinary action including a public reprimand and a
14 \$10,000 fine. Pursuant to the Consent Agreement, Respondent was required to obtain 10
15 hours of CME to include 6 hours in intraocular lens transplants and 4 hours in any
16 combination of medical ethics or recordkeeping.

17 CONCLUSIONS OF LAW

18 1. The Board possesses jurisdiction over the subject matter hereof and over
19 Respondent.

20 2. The conduct and circumstances described above constitute unprofessional
21 conduct pursuant to A.R.S. § 32-1401(27)(c) ("[a]ction that is taken against a doctor of
22 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
23 physical inability to engage safely in the practice of medicine, the doctor's medical
24 incompetence or for unprofessional conduct as defined by that jurisdiction and that
25 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this

1 paragraph. The action taken may include refusing, denying, revoking or suspending a
2 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
3 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
4 probation by that jurisdiction.")

5 **ORDER**

6 IT IS HEREBY ORDERED THAT Respondent is issued a Letter of Reprimand.

7
8 DATED AND EFFECTIVE this 7th day of June, 2012.

9
10 ARIZONA MEDICAL BOARD

11
12 By 

13 Lisa S. Wynn
Executive Director

14 **CONSENT TO ENTRY OF ORDER**

15 1. Respondent has read and understands this Consent Agreement and the
16 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
17 acknowledges he has the right to consult with legal counsel regarding this matter.

18 2. Respondent acknowledges and agrees that this Order is entered into freely
19 and voluntarily and that no promise was made or coercion used to induce such entry.

20 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to
21 a hearing or judicial review in state or federal court on the matters alleged, or to challenge
22 this Order in its entirety as issued by the Board, and waives any other cause of action
23 related thereto or arising from said Order.

24 4. The Order is not effective until approved by the Board and signed by its
25 Executive Director.

1 5. All admissions made by Respondent are solely for final disposition of this
2 matter and any subsequent related administrative proceedings or civil litigation involving
3 the Board and Respondent. Therefore, said admissions by Respondent are not intended
4 or made for any other use, such as in the context of another state or federal government
5 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
6 any other state or federal court.

7 6. Upon signing this agreement, and returning this document (or a copy thereof)
8 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
9 the Order. Respondent may not make any modifications to the document. Any
10 modifications to this original document are ineffective and void unless mutually approved
11 by the parties.

12 7. This Order is a public record that will be publicly disseminated as a formal
13 disciplinary action of the Board and will be reported to the National Practitioner's Data
14 Bank and on the Board's web site as a disciplinary action.

15 8. If any part of the Order is later declared void or otherwise unenforceable, the
16 remainder of the Order in its entirety shall remain in force and effect.

17 9. If the Board does not adopt this Order, Respondent will not assert as a
18 defense that the Board's consideration of the Order constitutes bias, prejudice,
19 prejudgment or other similar defense.

20 10. Any violation of this Order constitutes unprofessional conduct and may result
21 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,
22 consent agreement or stipulation issued or entered into by the board or its executive
23 director under this chapter") and 32-1451.

24 
25 Kenneth C. Westfield, M.D.

DATED: 31 MAY 2012

1 EXECUTED COPY of the foregoing mailed
2 this 7 day of June, 2012 to:

3 Kenneth C Westfield, M.D.
4 Address of Record

5 ORIGINAL of the foregoing filed
6 this 7 day of June, 2012 with:

7 Arizona Medical Board
8 9545 E. Doubletree Ranch Road
9 Scottsdale, AZ 85258

10 Mary Bobey
11 Arizona Medical Board Staff
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